

MINUTES OF ORDINARY COUNCIL MEETING HELD IN WATERGATE THEATRE ON FRIDAY, 12TH JUNE, 2020 AT 4.00 P.M.

- Chair:** Andrew McGuinness
- Cllrs:** Eamon Aylward, John Brennan, Martin Brett, Peter Cleere, John Coonan, Deirdre Cullen, Michael Delaney, Fidelis Doherty, Maria Dollard, Matt Doran, Michael Doyle, Pat Dunphy, David Fitzgerald, Pat Fitzpatrick, Ger Frisby, Denis Hynes, Joe Lyons, Joe Malone, Michael McCarthy, Eugene McGuinness and Patrick O'Neill.
- Officials:** Colette Byrne, Tim Butler, Sean McKeown, Martin Prendiville, Martin Mullally, Tony Lauhoff, Stan Cullen, Fiona Deegan, Michael Arthurs and Anne Maria Walsh.
- Apology:** Cllrs. Tomás Breathnach [*on Audio*], Mary Hilda Cavanagh [*on Audio*] and Mary Mulholland.

It was agreed by Members to facilitate Cllrs. Mary Hilda Cavanagh and Tomás Breathnach to listen to the meeting via Teams.

It was proposed by Cllr. Peter Cleere, seconded by Cllr. Ger Frisby and agreed that meeting would finish at 5.00 p.m.

1. Confirmation of Minutes

- (a) **Minutes of Ordinary Meeting of Kilkenny County Council held on Monday, 18th May, 2020**

Proposed by Cllr. Martin Brett, seconded by Cllr. John Coonan and agreed:

"That the Minutes of the Ordinary Meeting of Kilkenny County Council held on Monday, 18th May, 2020 as circulated with the Agenda be and are hereby approved".

Cllr. Andrew McGuinness extended votes of sympathy to:

- Family of John Bolger, Graiguenamanagh [*Pensioner*]
- Family of Kathleen Frawley, College Road, Kilkenny [*Pensioner*]
- Family of Una Grimes, Glenmore.
- Family of Monsignor Rev. Jim Cassin, Thomastown.
- Family of Mary Quilty, Slieverue.
- Family of Jo O'Shea, Glenmore.
- Family of Kitty Mernagh, Glenmore
- Family of Dick Doherty, Ferrybank.
- Family of William Roche, Glenmore.
- Family of Michael O'Shea, Mullinavat
- Family of Mary Coleman, Tullogher.
- Family of Paddy Mernagh, Glenmore.
- Family of Gretta Culleton, Mooncoin.
- Family of Joe Bourke, Mooncoin.
- Family of Jim Byrne, Mooncoin.
- Family of Tom Holden, Graignamanagh.
- Family of Mary Fripps, Mooncoin.
- Family of Anna Dunphy, Mooncoin.
- Family of Eily Rockett, Slieverue.
- Family of David Walsh, Mooncoin.
- Family of Fionnuala Daly, Carrigeen.
- Family of Alan Lyons, Mullinavat.
- Family of Lena Aylward, Mooncoin.
- Family of Peggy Walsh, Mooncoin.
- Family of Seamus Croke, Mooncoin.

- Family of Denis Hartigan, Mooncoin.
- Family of Eamon Fitzpatrick, Piltown.
- Family of Jackie Doherty, Mooncoin.
- Family of Andy Phelan, Mooncoin.
- Family of Carmel Lacey, Kilmacow.
- Family of Kitty Hogan, Piltown.
- Family of Sean Reid, Mullinavat.

2. (a) **Planning**

(i) **Part 8: Poulanassy**

Mr. Stan Cullen, Executive Engineer gave a Powerpoint Presentation on Part 8: Poulanassy Waterfall Visitor Carpark and Walking Trail. He advised that the proposed development was on public display in January/February 2020. Two submissions were received and these will be taken into account when detailed design and tender documents are prepared. An overview of the proposed works were given. Mr. Cullen advised that the Chief Executive recommends to the Council to proceed with the proposed development. This project has been considered by the Piltown MD Members.

It was proposed by Cllr. Eamon Aylward, seconded by Cllr. Fidelis Doherty and agreed that:

"We the Members of Kilkenny County Council approves the proposed Part 8 in accordance with Section 179 of the Planning & Development Act 2000 as amended and Part VIII of the Planning & Development Regulations 2001, as amended for the Poulanassy Waterfall Visitor Carpark & Walking Trail, as circulated."

(ii) **Part 10: Abbey Quarter and St. Francis Abbey Park**

Mr. Tony Lauhoff gave a PowerPoint Presentation on the current developments underway in the Abbey Quarter and projects in planning.

He gave an overview on the following:

- Brewhouse Project [including Horse Barrack Lane and Courtyard].
- Riverside Garden Project [including Skate Park].
- Mayfair Library.
- Tea House Restoration.
- Urban Street and Park Project.
- Transfer of Plot 7.
- Phasing of all Projects.

He advised that Part 10 Planning for the Urban Street will be lodged with An Bord Pleanala shortly.

Ms. Colette Byrne advised that the Council will be requested to transfer Plot 7 to the Partnership at the July meeting.

(iii) **Proposed Part 8: Housing Development [4 sites]**

Mr. Martin Mullally gave a Powerpoint presentation on proposed Part 8 Housing Developments in Kells, Thomastown and Kilkenny City. The Housing Department are currently focusing on refurbishment and extension to existing buildings. It is intended to publish the following Part 8's shortly:

- Refurbishment and extension to former Kells Health Centre.
- Refurbishment and extension to No. 18 Wolfe Tone Street.
- Refurbishment of former Fire Station, Thomastown.

The proposed development of 25 units at Ladyswell, Thomastown will be submitted as a Part 10 to An Bord Pleanala as a National Impact Statement is required.

Mr. Martin Mullally gave an update on projects currently under construction:

- Hoban Park, Callan..... 38 houses.
- Breaghagh Place, Piltown 17 houses
- Glebeside, Donaguile, Castlecomer..... 33 units.
- Station Avenue, Ballyragget..... 22 units.

Query was raised by Cllr. Matt Doran in relation to Kells Health Centre, if this building could be used instead by the community for public toilets. Cllrs. Deirdre Cullen and Joe Lyons contributed to this.

Ms. Colette Byrne and Mr. Martin Mullally responded to the query and advised that we will liaise with the community in relation to this suggestion.

(b) (i) **Update on Covid Pandemic Impacts**

Ms. Fiona Deegan presented an overview on the Covid economic impacts and analysis on service areas with the Council. In her Powerpoint presentation she gave details on the following:

- Number of people in Kilkenny on Live Register.
- Number of people availing of Pandemic Unemployment Payment, Enhanced Illness Benefit Payment and Temporary Wage Subsidy Scheme.
- Applications for Business Continuity Voucher/Trading Online Vouchers/Restart Grants.
- Statistics – Covid-19 Support Helpline.
- Requests for changes on weekly rents and mortgages.
- Statistics on Recycling and Waste Disposal/Environmental Complaints.
- Planning Applications received.
- Media Statistics – Facebook etc.
- Increase in online Motor Taxation.
- Increase in use of online Library Services.

It was agreed to circulate presentation to all Members and also a summary of the economic analysis.

Mr. Martin Prendiville gave a Powerpoint Presentation on the impacts on our Budget 2020 due to Covid Pandemic. In his presentation he gave an overview on the following:

- Update on current Budget Expenditure and Income.
- Impacts from Covid-19 on income.
- Detailed review on collection of rates and estimated loss of rate income, compensation from Department.
- Reduced income from car parking, rents, development levies etc.
- Additional costs arising from Covid crisis.
- Impacts on agencies supported by Kilkenny County Council, private sponsorship has dried up.
- Review has been carried out on all discretionary income – defer expenditure of €2.35m on specific items – Schedule circulated.
- Details of Business Re-Start Grant.
- Supports provided to businesses by LEO.
- Update on Capital Projects – projects under construction and matching funding required by Kilkenny County Council, loss of income from development levies.

- Overview of Capital Projects in the pipeline and required matching funding from Kilkenny County Council.
- Overview on the Council's borrowings for Capital Projects.

Mr. Prendiville ended his presentation and advised Members that the Council is facing a significant reduction in income for 2020, currently estimated at €8.1m. Funding will be required from Central Government to make up the shortfall. There is still a high degree of uncertainty for businesses. Additional grant funding will also be required to deliver on planned Capital Projects. The Council must pro-actively manage the situation that we find ourselves in and we must take measures to reduce expenditure.

Powerpoint Presentation has been circulated to all Members.

Cathaoirleach thanked Mr. Prendiville for the detailed overview and advised Members that if they need clarification to contact Head of Finance directly.

(ii) **Chief Executive's Monthly Report**

Ms. Colette Byrne, Chief Executive presented her Chief Executive Report. She advised she is available if any Member has a query on it. The report was taken as read and noted.

(c) (i) **Annual Financial Statement 2019**

Mr. Prendiville advised that the Unaudited Annual Financial Statement for 2019 has been circulated. A resolution of the Council is required to the over expenditure which occurred in the various sub-service areas. The overall operation for 2019 resulting in a surplus of €10,193. The Audit of Accounts has commenced and a report on the Audited Accounts will be presented to the Members when audit is completed.

It was proposed by Cllr. Joe Malone, seconded by Cllr. Ger Frisby and agreed that:

- (i) "That Kilkenny County Council hereby approves of Excess Expenditure for year ending 31st December, 2019 as follows in accordance with S104(2) Local Government Act 2001:

Housing & Building	€
A01 Maintenance & Improvement of LA Housing.....	1,483,469
A02 Housing Assessment, Allocation and Transfer	7,740
A06 Support to Housing Capital Programme	23,321
A07 RAS and Leasing Programme	1,916,116
A09 Housing Grants.....	520,417
A11 Agency & Recoupable Services.....	17,043
A12 HAP Programme.....	<u>57,385</u>
<i>Subtotal</i>	<i>4,025,491</i>

Road Transportation & Safety	
B03 Regional Road – Maintenance & Improvement	393,658
B04 Local Road – Maintenance & Improvement	2,059,876
B06 Traffic Management Improvement	9,266
B07 Road Safety Engineering Improvement	339,501
B09 Car Parking.....	18,097
B10 Support to Roads Capital Programme.....	1,160
B11 Agency & Recoupable Services.....	<u>935,964</u>
<i>Subtotal</i>	<i>3,757,522</i>

Water Services	
C01	Water Supply 227,975
C02	Waste Water Treatment 204,897
C04	Public Conveniences..... 842
C06	Support to Water Capital Programme 5,098
C07	Agency & Recoupable Services..... 23,741
C08	Local Authority Water and Sanitary Services..... <u>4,509</u>
	<i>Subtotal</i> 467,062

Development Management	
D04	Industrial and Commercial Facilities 541
D05	Tourism Development and Promotion..... 285,701
D07	Unfinished Housing Estates 21
D08	Building Control 27,567
D11	Heritage and Conservation Services <u>153,550</u>
	<i>Subtotal</i> 467,380

Environmental Services	
E02	Recovery & Recycling Facilities Operations 91,196
E04	Provision of Waste to Collection Services 145,082
E05	Litter Management 3,525
E06	Street Cleaning 188,758
E07	Waste Regulations, Monitoring and Enforcement 155,244
E09	Maintenance of Burial Grounds..... 69,392
E10	Safety of Structures and Places 47,349
E11	Operation of Fire Service 501,817
E12	Fire Prevention 5,339
E13	Water Quality, Air and Noise Pollution..... <u>101,755</u>
	<i>Subtotal</i> 1,309,457

Recreation and Amenity	
F02	Operation of Library and Archival Service 177,199
F03	Outdoor Leisure Areas Operations 515,926
F04	Community Sport and Recreational Development..... 14,519
F05	Operation of Arts Programme <u>50,320</u>
	<i>Subtotal</i> 757,964

Agriculture, Education, Health & Welfare	
G04	Veterinary Service..... <u>11,208</u>
	<i>Subtotal</i> 11,208

Miscellaneous Services	
H01	Profit & Loss Machinery Account 135,477
H04	Franchise Costs..... 131,299
H05	Operation of Morgue and Coroner Expenses 4,272
H07	Operation of Markets and Casual Trading 715
H11	Agency & Recoupable Services..... <u>200,668</u>
	<i>Subtotal</i> 472,431

TOTAL **11,268,515**

(ii) It was proposed by Cllr. Joe Malone, seconded by Cllr. Ger Frisby and agreed that:

"We, the Members of Kilkenny County Council, hereby adopt the Annual Financial Statement for year ending 31st December, 2019."

- (d) (i) **Section 85 Agreement: N24 Waterford to Cahir Scheme**
Mr. Tim Butler presented his report on the proposed Section 85 Agreement with Tipperary County Council on the delivery of the N24 Waterford to Cahir Road Scheme.

It was proposed by Cllr. Ger Frisby, seconded by Cllr. Pat Dunphy and agreed that:

"We the Members of Kilkenny County Council approve a Section 85 Agreement between Kilkenny County Council and Tipperary County Council for the proposed N24 Waterford to Cahir Road Scheme".

- (e) (i) **Scheme of Letting Priorities**
Mr. Martin Mullally presented the report on the Scheme of Letting Priorities. He advised the Scheme has been presented to the SPC and has been recommended by the SPC to be approved by the Council.

It was proposed by Cllr. Joe Malone, seconded by Cllr. Martin Brett and agreed that:

"That the Scheme of Letting Priorities is hereby approved by the Members of Kilkenny County Council."

- (f) (i) **Amenity Grants**
Mr. Sean McKeown referred to report circulated on the allocation of the fund to the various applications. 154 applications have been received and it is recommended that €127k be awarded at this point.

It was proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. Peter Cleere and agreed that:

"That the Amenity Grants are hereby approved by the members of Kilkenny County Council."

- (g) (i) **LCDC Annual Report 2019**
The LCDC Annual Report 2019 was circulated and it was taken as read and noted by the Members.

3. **Correspondence**
None.

4. **Business Adjourned from a Previous Meeting**
None.

5. **Schedule of Meetings**

(i) **Agree date/venue for July Council Meeting**

It was proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. Martin Brett and agreed that the July Monthly Meeting of the Council will be held on Monday, 20th July, 2020 at 3.00 p.m. in the Watergate Theatre, Kilkenny.

6. **Consideration of Reports and Recommendations of Committees of the Council**
None.

7. **Other Business set forth in the Notice convening the Meeting-**
None.

8. **Conferences - Request for approval to Attend**

None.

9. **Matters Arising from Minutes**

None

10. **Any Other Business**

- (a) Cllr. Pat Dunphy requested that the Amenity Area/Monument at Sinnott's Cross be taken in charge by Kilkenny County Council. This was supported by Cllr. Eamon Aylward.

Mr. Butler advised that it is the policy of Kilkenny County Council not to take monuments in charge. This has been agreed by the Naming of Infrastructure Committee. It is advisable that Members seriously consider this as it would set a precedent and Kilkenny County Council would have to take every monument in charge. Mr. Butler will bring this back to the Naming of Infrastructure Committee.

- (b) Cllr Michael McCarthy requested that the Council wish Sean Keane Reporter well as he departs from the Kilkenny People. Members were associated with the sentiment.
- (c) Cllr. Pat Fitzpatrick and John Brennan requested that the Council continue to fund Castlecomer Discovery Park and to ask the Government for funding to enable it to continue operating.
- (d) Cllr. Fidelis Doherty paid tribute to all Voluntary Groups who assisted Members of the public during the Covid-19 lockdown.
- (e) Ms. Colette Byrne acknowledged the support of the Elected Members and for their patience and co-operation as the Council responded to the Covid Crisis. It has been a challenging time as staff adjusted to new ways of working. She paid tribute to the Council staff for their flexibility and commitment to the delivery of council services during the crisis. In addition to our normal business, the Council staff have manned the Community Call Help Line and assisted the HSE in contact tracing and property management. She thanked the Community Groups who worked with the Community Call Centre to ensure the people in their own areas were looked after.

11. **Notices of Motion**

Deferred to next meeting.

12. **Notices of Motion from other local authorities seeking support of Kilkenny County Council**

Deferred to next meeting.

That concluded the business of the meeting.

CATHAOIRLEACH

DATE